

CALENDAR ITEM
C04

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S 1

PRC 8698

08/24/06
W 26156
R. Barham

RECREATIONAL PIER LEASE

APPLICANTS:

Richard L. Phipps and Anne B. Phipps, Trustees of the Richard L. and Anne B. Phipps Trust

AREA, LAND TYPE, AND LOCATION:

Sovereign lands in Lake Tahoe, near Homewood, Placer County.

AUTHORIZED USE:

The retention, use, and maintenance of two existing mooring buoys as shown on the attached Exhibit A.

LEASE TERM:

Ten years, beginning August 1, 2006.

CONSIDERATION:

No monetary consideration pursuant to Public Resources Code section 6503.5.

SPECIFIC LEASE PROVISIONS:

Insurance:

Liability insurance in the amount of no less than \$300,000.

Other:

This lease is conditioned on the Applicants obtaining authorization from the Tahoe Regional Planning Agency (TRPA) for the mooring buoys within two years after the adoption of the Lake Tahoe Shorezone Amendments-Draft Environmental Impact Statement (EIS) and approval of the ordinances based on the EIS.

OTHER PERTINENT INFORMATION:

1. Applicants own the upland property adjoining the lease premises.
2. Applicants qualify for a Recreational Pier Lease because they are natural persons who have improved the littoral land with, and use the upland for, a

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single-family dwelling. Applicants are now applying for a new Recreational Pier Lease for the retention of two existing mooring buoys not previously authorized by the Commission.

- 3. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (Title 14, California Code of Regulations, section 15061), the staff has determined that this activity is exempt from the requirements of the CEQA as a categorically exempt project. The project is exempt under Class 3, New Construction of Small Structures; Title 2, California Code of Regulations, section 2905 (c)(3).

Authority: Public Resources Code section 21084 and Title 14, California Code of Regulations, section 15300 and Title 2, California Code of Regulations, section 2905.

- 4. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code sections 6370, et seq. Based upon the staff's consultation with the persons nominating such lands and through the CEQA review process, it is the staff's opinion that the project, as proposed, is consistent with its use classification.

EXHIBIT:

- A. Location and Site Map

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15061 AS A CATEGORICALLY EXEMPT PROJECT, CLASS 3, NEW CONSTRUCTION OF SMALL STRUCTURES; TITLE 2, CALIFORNIA CODE OF REGULATIONS, SECTION 2905 (c)(3).

SIGNIFICANT LANDS INVENTORY FINDING:

FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED BY THE COMMISSION FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.

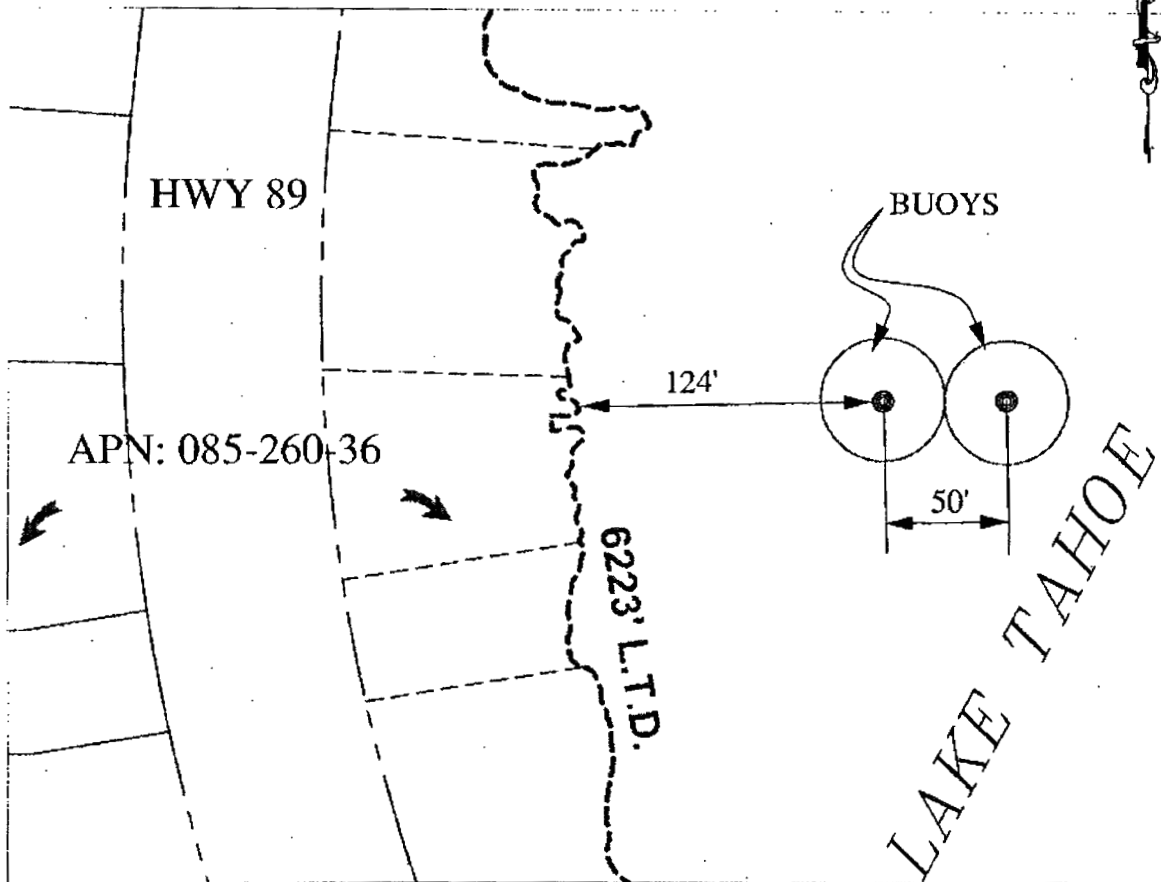
CALENDAR ITEM NO. C04 (CONT'D)

AUTHORIZATION:

AUTHORIZE ISSUANCE TO RICHARD L. PHIPPS AND ANNE B. PHIPPS, TRUSTEES OF THE RICHARD L. AND ANNE B. PHIPPS TRUST OF A TEN-YEAR RECREATIONAL PIER LEASE, BEGINNING AUGUST 1, 2006, FOR THE RETENTION, USE, AND MAINTENANCE OF TWO EXISTING MOORING BUOYS AS SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; NO MONETARY CONSIDERATION PURSUANT TO PUBLIC RESOURCES CODE SECTION 6503.5; LIABILITY INSURANCE COVERAGE OF NO LESS THAN \$300,000.

NO SCALE

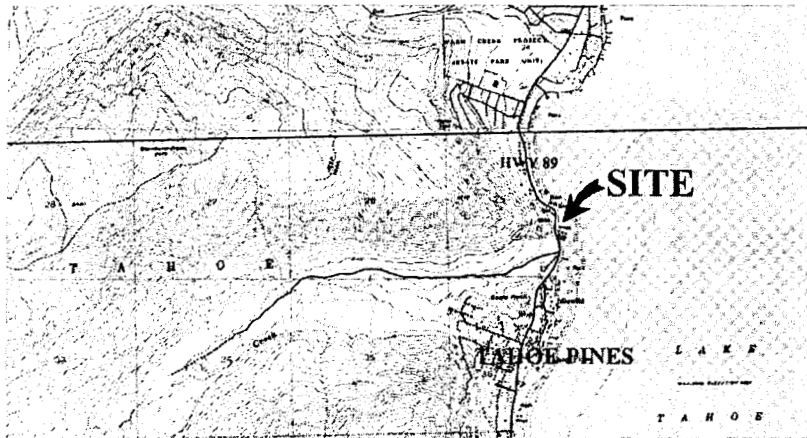
SITE



3295 WEST LAKE BLVD. NEAR TAHOE PINES

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

This Exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by the Lessee or other parties and is not intended to be, nor shall it be construed as, a waiver or limitation of any State interest in the subject or any other property.

Exhibit A

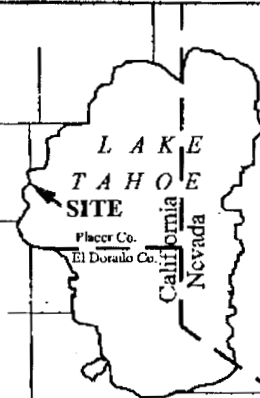
W26156

RICHARD & ANNE PHIPPS

APN: 085-260-036

RECREATION PIER LEASE

PLACER COUNTY



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